

SA 4119. Mr. WICKER (for himself and Mr. Kaine) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . ADDITIONAL FUNDING FOR OHIO REPLACEMENT.

(a) **ADDITIONAL FUNDING.**—The amount authorized to be appropriated for fiscal year 2022 by section 201 for research, development, test, and evaluation is hereby increased by \$25,000,000, with the amount of the increase to be available for Ohio Replacement (PE 0603595N).

(b) **OFFSET.**—The amount authorized to be appropriated for fiscal year 2022 by section 101 for procurement for the Army, the Navy and the Marine Corps, the Air Force and the Space Force, and Defense-wide activities is hereby decreased by \$25,000,000, with the amount of the decrease to be derived from amounts available for Shipbuilding and Conversion, Navy, Amphibious Ships, Line 19, LHA Replacement.

SEC. ____ . ADDITIONAL FUNDING FOR SHIP SHORE CONNECTOR.

(a) **ADDITIONAL FUNDING.**—The amount authorized to be appropriated for fiscal year 2022 by section 201 for research, development, test, and evaluation is hereby increased by \$10,000,000, with the amount of the increase to be available for the Ship Shore Connector (PE 0605220N).

(b) **OFFSET.**—The amount authorized to be appropriated for fiscal year 2022 by section 101 for procurement for the Army, the Navy and the Marine Corps, the Air Force and the Space Force, and Defense-wide activities is hereby decreased by \$10,000,000, with the amount of the decrease to be derived from amounts available for Shipbuilding and Conversion, Navy, Amphibious Ships, Line 19, LHA Replacement.

SEC. ____ . ADDITIONAL FUNDING FOR INDUSTRIAL BASE ANALYSIS AND SUSTAINMENT.

(a) **ADDITIONAL FUNDING.**—The amount authorized to be appropriated for fiscal year 2022 by section 201 for research, development, test, and evaluation is hereby increased by \$2,000,000, with the amount of the increase to be available for Industrial Base Analysis and Sustainment Support (PE 0607210D8Z).

(b) **OFFSET.**—The amount authorized to be appropriated for fiscal year 2022 by section 101 for procurement for the Army, the Navy and the Marine Corps, the Air Force and the Space Force, and Defense-wide activities is hereby decreased by \$2,000,000, with the amount of the decrease to be derived from amounts available for Shipbuilding and Conversion, Navy, Amphibious Ships, Line 19, LHA Replacement.

SA 4120. Mr. WICKER (for himself and Mr. Kaine) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and

for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II, insert the following:

SEC. ____ . ADDITIONAL FUNDING FOR JOINT SERVICE EXPLOSIVE ORDINANCE DEVELOPMENT.

(a) **ADDITIONAL FUNDING.**—The amount authorized to be appropriated for fiscal year 2022 by section 201 for research, development, test, and evaluation is hereby increased by \$11,000,000, with the amount of the increase to be available for Joint Service Explosive Ordinance Development (PE 0603654N).

(b) **OFFSET.**—The amount authorized to be appropriated for fiscal year 2022 by section 101 for procurement for the Army, the Navy and the Marine Corps, the Air Force and the Space Force, and Defense-wide activities is hereby decreased by \$11,000,000, with the amount of the decrease to be derived from amounts available for Shipbuilding and Conversion, Navy, Amphibious Ships, Line 19, LHA Replacement.

SA 4121. Ms. CORTEZ MASTO (for herself and Mrs. FISCHER) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . PROMOTING DIGITAL PRIVACY TECHNOLOGIES.

(a) **DEFINITIONS.**—In this section:

(1) **PERSONAL DATA.**—The term “personal data” means information that identifies, is linked to, or is reasonably linkable to, an individual or a consumer device, including derived data.

(2) **PRIVACY ENHANCING TECHNOLOGY.**—The term “privacy enhancing technology”—

(A) means any software solution, technical processes, or other technological means of enhancing the privacy and confidentiality of an individual’s personal data in data or sets of data; and

(B) includes anonymization and pseudonymization techniques, filtering tools, anti-tracking technology, differential privacy tools, synthetic data, and secure multi-party computation.

(b) **NATIONAL SCIENCE FOUNDATION SUPPORT OF RESEARCH ON PRIVACY ENHANCING TECHNOLOGY.**—The Director of the National Science Foundation, in consultation with other relevant Federal agencies (as determined by the Director), shall support merit-reviewed and competitively awarded research on privacy enhancing technologies, which may include—

(1) fundamental research on technologies for de-identification, pseudonymization, anonymization, or obfuscation of personal data in data sets while maintaining fairness, accuracy, and efficiency;

(2) fundamental research on algorithms and other similar mathematical tools used to protect individual privacy when collecting, storing, sharing, or aggregating data;

(3) fundamental research on technologies that promote data minimization principles

in data collection, sharing, and analytics; and

(4) research awards on privacy enhancing technologies coordinated with other relevant Federal agencies and programs.

(c) **INTEGRATION INTO THE COMPUTER AND NETWORK SECURITY PROGRAM.**—Subparagraph (D) of section 4(a)(1) of the Cyber Security Research and Development Act (15 U.S.C. 7403(a)(1)(D)) is amended to read as follows:

“(D) privacy enhancing technologies and confidentiality;”.

(d) **COORDINATION WITH THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY AND OTHER STAKEHOLDERS.**—

(1) **IN GENERAL.**—The Director of the Office of Science and Technology Policy, acting through the Networking and Information Technology Research and Development Program, shall coordinate with the Director of the National Science Foundation, the Director of the National Institute of Standards and Technology, and the Federal Trade Commission to accelerate the development and use of privacy enhancing technologies.

(2) **OUTREACH.**—The Director of the National Institute of Standards and Technology shall conduct outreach to—

(A) receive input from private, public, and academic stakeholders, including the National Institutes of Health and the Centers for Disease Control and Prevention, for the purpose of facilitating public health research, on the development of privacy enhancing technologies; and

(B) develop ongoing public and private sector engagement to create and disseminate voluntary, consensus-based resources to increase the integration of privacy enhancing technologies in data collection, sharing, and analytics by the public and private sectors.

(e) **REPORT ON RESEARCH AND STANDARDS DEVELOPMENT.**—Not later than 2 years after the date of enactment of this Act, the Director of the Office of Science and Technology Policy, acting through the Networking and Information Technology Research and Development Program, shall, in coordination with the Director of the National Science Foundation and the Director of the National Institute of Standards and Technology, submit to the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Science, Space, and Technology of the House of Representatives, a report containing—

(1) the progress of research on privacy enhancing technologies;

(2) the progress of the development of voluntary resources described under subsection (d)(2)(B); and

(3) any policy recommendations of the Directors that could facilitate and improve communication and coordination between the private sector, the National Science Foundation, and relevant Federal agencies through the implementation of privacy enhancing technologies.

SA 4122. Ms. CORTEZ MASTO (for herself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title V, add the following:

SEC. 520B. CONTACT OF ELIGIBLE MEMBERS FOR THE REVIEW AND CORRECTION OF MILITARY RECORDS.

(a) IN GENERAL.—The Secretary of Defense shall conduct a search in accordance with subsection (b) to identify the current address of each former member of the Armed Forces who meets the following criteria:

(1) Served as a member of the Armed Forces on or after October 7, 2001.

(2) Was discharged with a service characterization that was less than honorable discharge, excluding a bad conduct discharge or dishonorable discharge.

(3) Has not received an upgrade of discharge to honorable discharge.

(b) RESOURCES TO CONDUCT SEARCH.—To identify the current addresses of former members of the Armed Forces who meet the criteria under subsection (a), the Secretary of Defense shall access public record databases, including—

(1) LexisNexis Public Records;

(2) PeopleMap on Thomson Reuters Westlaw;

(3) OPENOnline; and

(4) any other public record database as determined by the Secretary of Defense.

(c) CONTACT OF ELIGIBLE MEMBERS.—The Secretary of Defense shall—

(1) prepare a universal notice that includes—

(A) a description of the process for a former member to apply for a discharge upgrade or otherwise correct their military record;

(B) a list of resources through which a former member may receive assistance in completing or submitting the application;

(C) a summary of any recent statutory amendments and agency guidance that—

(i) require any board established under section 1552(a)(1) of title 10, United States Code, to grant liberal consideration to applications involving post-traumatic stress disorder, traumatic brain injury, military sexual trauma, and other behavioral health conditions; and

(ii) permit discharge upgrades to former members discharged under section 654 of title 10, United States Code, as in effect before such section was repealed pursuant to the Don't Ask, Don't Tell Repeal Act of 2010 (Public Law 111-321);

(D) a description of the medical evidence that a former member may provide to a board to support an application, noting that such evidence may include—

(i) a medical diagnosis of post-traumatic stress disorder, traumatic brain injury, or other behavioral health issues;

(ii) documentation by a medical professional or licensed social worker of symptoms of post-traumatic stress disorder, traumatic brain injury, military sexual trauma, or other behavioral health issues; and

(iii) letters describing behavioral changes or symptoms of post-traumatic stress disorder, traumatic brain injury, and other behavioral health issues of the former member witnessed by family members of the former member or other individuals; and

(E) information on the process for a former member to obtain treatment or a medical health evaluations from the Department of Veterans Affairs; and

(2) take measures to provide the universal notice required under paragraph (1) to each former member of the Armed Forces who meets the criteria under subsection (a).

SA 4123. Ms. CORTEZ MASTO submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year

2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title III, insert the following:

SEC. 318. ENERGY EFFICIENCY AND RESILIENCY TARGETS FOR DEPARTMENT OF DEFENSE DATA CENTERS.

(a) ENERGY EFFICIENCY AND RESILIENCY TARGETS FOR DATA CENTERS.—

(1) IN GENERAL.—Subchapter I of chapter 173 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 2921. Energy efficiency and resiliency targets for data centers

“(a) COVERED DATA CENTERS.—(1) For each covered data center, the Secretary of Defense shall—

“(A) develop a power usage effectiveness target for the data center, based on location, resiliency, industry standards, business continuity and disaster recovery, and best practices;

“(B) develop a water usage effectiveness target for the data center, based on location, resiliency, industry standards, business continuity and disaster recovery, and best practices;

“(C) develop a resiliency target for the data center, based on location, industry standards, business continuity and disaster recovery, and best practices;

“(D) develop a facility availability target for the data center, based on location, industry standards, business continuity and disaster recovery, and best practices;

“(E) develop other energy efficiency or water usage targets for the data center based on industry standards, business continuity and disaster recovery, and best practices, as applicable to meet energy efficiency and resiliency goals;

“(F) identify potential renewable or clean energy resources, or related technologies such as advanced battery storage capacity, to enhance resiliency at the data center, including potential renewable or clean energy purchase targets based on the location of the data center; and

“(G) identify any statutory, regulatory, or policy barriers to meeting any target under any of subparagraphs (A) through (F).

“(2) In this subsection, the term ‘covered data center’ means a data center established before the date of the enactment of this section that—

“(A) is one of the 50 data centers of the Department of Defense with the highest annual power usage rates; or

“(B) is one of the 20 data centers operated for the Department by a private contractor with the highest annual power usage rates.

“(b) NEW DATA CENTERS.—(1)(A) Except as provided in paragraph (2), in the case of any data center of the Department established on or after the date of the enactment of this section, regardless of whether the data center is owned and operated by the Department or by a contractor on behalf of the Department, the Secretary shall establish energy, water usage, and resiliency-related standards that the data center shall be required to meet based on location, resiliency, industry standards, business continuity and disaster recovery, and best practices.

“(B) Standards established under subparagraph (A) shall include—

“(i) power usage effectiveness standards;

“(ii) water usage effectiveness standards;

“(iii) resiliency standards;

“(iv) facility availability standards; and

“(v) any other energy or resiliency standards the Secretary determines are appropriate.

“(2) The Secretary may waive the requirement for a data center of the Department established on or after the date of the enactment of this section to meet the standards established under paragraph (1) if the Secretary—

“(A) determines that such waiver is in the national security interest of the United States; and

“(B) submits to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives notice of such waiver and the reasons for such waiver.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by inserting after the item relating to section 2920 the following new item:

“Sec. 2921. Energy efficiency and resiliency targets for data centers.”.

(b) INVENTORY OF DATA FACILITIES.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall conduct an inventory of all data centers owned or operated by the Department of Defense.

(2) ELEMENTS.—The inventory required under paragraph (1) shall include the following:

(A) A list of data centers owned or operated by the Department of Defense.

(B) For each such data center, the earlier of the following dates:

(i) The date on which the data center was established.

(ii) The date of the most recent capital investment in new power, cooling, or compute infrastructure at the data center.

(C) The total average annual power use, in kilowatts, for each such data center.

(D) The number of data centers that measure power usage effectiveness and for each such data center, the power usage effectiveness for the center.

(E) The number of data centers that measure water usage effectiveness and, for each such data center, the water usage effectiveness for the center.

(F) A description of any other existing energy efficiency or efficient water usage metrics used by any data center and the applicable measurements for any such center.

(G) An assessment of the facility resiliency of each data center, including redundant power and cooling facility infrastructure.

(H) Any other matters the Secretary determines are relevant.

(c) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the completion of the inventory required under subsection (b), the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the inventory and the energy efficiency and resiliency targets under section 2921(a) of title 10, United States Code, as added by subsection (a).

(2) ELEMENTS.—The report under paragraph (1) shall include each of the following:

(A) A timeline of necessary actions required to meet the energy efficiency and resiliency targets for covered data centers under section 2921(a) of title 10, United States Code, as added by subsection (a).

(B) The estimated costs associated with meeting such targets.

(C) An assessment of the business case for meeting such targets, including any estimated savings in operational energy and water costs and estimated reduction in energy and water usage if the targets are met.